

AMENDED IN SENATE MAY 5, 2008
AMENDED IN SENATE APRIL 22, 2008
AMENDED IN SENATE APRIL 9, 2008
AMENDED IN SENATE APRIL 1, 2008

SENATE BILL

No. 1258

Introduced by Senator Lowenthal

February 15, 2008

An act to add Sections 17922.12 and 18941.7 to the Health and Safety Code, relating to building standards.

LEGISLATIVE COUNSEL'S DIGEST

SB 1258, as amended, Lowenthal. Building standards: graywater.

The California Building Standards Law provides for the adoption of building standards by state agencies by requiring all state agencies that adopt or propose adoption of any building standard to submit the building standard to the California Building Standards Commission for approval and adoption.

Existing law requires the Department of Housing and Community Development to propose the adoption, amendment, or repeal of building standards to the commission relating to hotels, motels, lodging houses, apartment houses, and dwellings, and the buildings and structures accessory thereto, except as specified.

Existing law authorizes a city or county to make changes or modifications in the building standards proposed by the department and approved by the commission, to provide for local variances relating to local climatic, geological, or topographical conditions, upon making certain findings and filing those findings with the commission.

This bill would require the department, at the next triennial building standards rulemaking cycle that commences on or after January 1, 2009, ~~in consultation with the State Department of Public Health~~, to adopt and submit to the commission for approval building standards for the construction, installation, and alteration of graywater, as defined, systems for indoor use.

The bill would authorize a city, county, or other local agency to adopt, after a public hearing and enactment of an ordinance or resolution, building standards that prohibit entirely the use of graywater, or building standards that are more restrictive than the graywater building standards adopted by the department and published in the California Building Standards Code.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 17922.12 is added to the Health and
- 2 Safety Code, to read:
- 3 17922.12. (a) For the purposes of this section, “graywater”
- 4 means untreated wastewater that has not been contaminated by
- 5 any toilet discharge, has not been affected by infectious,
- 6 contaminated, or unhealthy bodily wastes, and does not present a
- 7 threat from contamination by unhealthful processing,
- 8 manufacturing, or operating wastes. “Graywater” includes
- 9 wastewater from bathtubs, showers, bathroom washbasins, clothes
- 10 washing machines, and laundry tubs, but does not include
- 11 wastewater from kitchen sinks or dishwashers.
- 12 (b) Notwithstanding Chapter 22 (commencing with Section
- 13 14875) of Division 7 of the Water Code, at the next triennial
- 14 building standards rulemaking cycle that commences on or after
- 15 January 1, 2009, the department, ~~in consultation with the State~~
- 16 ~~Department of Public Health~~, shall adopt and submit for approval
- 17 pursuant to Chapter 4 (commencing with Section 18935) of Part
- 18 2.5 building standards for the construction, installation, and
- 19 alteration of graywater systems for indoor use.
- 20 (c) In adopting building standards under this section, the
- 21 department shall promote graywater systems while ensuring
- 22 reasonable protection of water quality in accordance with
- 23 applicable provisions of state and federal water quality law.

1 (d) The department may revise and update the standards adopted
2 under this section.

3 SEC. 2. Section 18941.7 is added to the Health and Safety
4 Code, to read:

5 18941.7. A city, county, or other local agency may adopt, after
6 a public hearing and enactment of an ordinance or resolution,
7 building standards that prohibit entirely the use of graywater, or
8 building standards that are more restrictive than the graywater
9 building standards adopted by the department under Section
10 17922.12 and published in the California Building Standards Code.